

COUNTY OF YORK

MEMORANDUM

DATE: March 2, 2005 (BOS Mtg. 3/15/05)

TO: York County Board of Supervisors

FROM: James O. McReynolds, County Administrator

SUBJECT: Proposed Lease of City of Newport News Property

As you are aware, staff has been working with the City of Newport News toward use of City owned property located in the County for development of an athletic field complex. City staff has been extremely helpful in this process and members of Newport News City Council have indicated their support for this project. The City has designated an area of approximately 187 acres of land located in the Burts and Oriana Roads corridor for this purpose. Initially the full acreage is reserved for the project but the County will only use that portion which is needed for construction purposes. It is necessary to complete the design process in order to determine exactly how much of the 187 acres will be used.

The City prefers to retain ownership of the property and make the site available through a long-term land lease agreement. County and City staff have drafted a lease agreement for consideration by the Board with subsequent public hearing and approval by City Council.

The proposed lease agreement is attached. The major components are as follows:

1. The term of the lease is forty years and the lease can be renewed with mutual agreement of both parties for additional periods of up to forty years or longer if the Code of Virginia is ever amended to allow for a longer lease period.
2. Prior to the time that final plans and a design for the site is completed, the County will refund the real estates taxes paid on the property by the City for rent. The County will begin to pay 6.5% of the assessed value of the property either once approved site plans are completed and a construction contract has been awarded or 18 months from the date the agreement is effective, whichever date is sooner.
3. The property would only be used for non-profit recreational and public park purposes and all such facilities will be constructed at the County's expense. Operation and maintenance of the complex will also be the County's expense.
4. The City will have approval of all construction, maintenance and operational plans for the property.
5. The County will build and maintain the required regional stormwater pond(s).

6. To enhance security of the Harwoods Mill Reservoir, the County will erect a fence around portions of the property's perimeter in locations as identified by the City.

Recommendation

I recommend adoption of Resolution R05-44, which approves a land lease agreement between the County and the City of Newport News substantially in the same form as the attached.

Smith/4111

Attachments:

- Proposed Resolution R05-44
- Draft Lease Agreement